

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SAMUEL L. GIDDENS
Petitioner,

v.

DWIGHT BARBEE
Respondent.

]

]

]

]

]

]

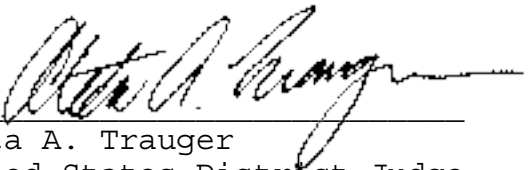
No. 3:11-0005
Judge Trauger

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds that the petition (Docket Entry No.1) for writ of habeas corpus lacks merit. Accordingly, the petition is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has been unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.



Aleta A. Trauger
United States District Judge